

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RHONDA McGOWAN, ET AL.,

Plaintiffs,

No. 16-13216

v.

District Judge Terrence G. Berg  
Magistrate Judge R. Steven Whalen

KROGER CO. MICHIGAN 709,

Defendant.

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**ORDER**

Before the Court is Defendant's Motion to Strike Improper Pleadings Filed by Plaintiffs [Doc. #88]. Specifically, they ask that the following pleadings be stricken:

(1) Plaintiffs' Response to Defendant's Affidavit for Motion to Dismiss Plaintiff's First Amended Complaint for Failure to Cooperate in Discovery and Failure to Obey a Court Order [Doc. #72].

(2) Plaintiffs' Motion for Sanctions Pursuant to Fed.R.Civ.P. 11(b) [Doc. #82].

(3) Plaintiffs' Motion to File Video Disk in Traditional Manner [Doc. #84].

(4) Plaintiffs' Brief in Response to Defendant's Reply Brief in Support of its Motion for Summary Judgment [Doc. #86].

I have entered orders denying the motion for sanctions [Doc. #82] and the motion to file the video disk [Doc. #84]. In addition, I have filed a Report and Recommendation [Doc. #101] that disposes of Defendant's motion to dismiss as a discovery sanction as well as Defendant's motion for summary judgment, and have considered all pleadings filed with respect to those motions.

For these reasons, the present motion to strike [Doc. #88] is DENIED AS MOOT.

IT IS SO ORDERED.

Dated: September 12, 2018

s/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE  
JUDGE

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**CERTIFICATE OF SERVICE**

I hereby certify on September 12, 2018 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to non-registered ECF participants on September 12, 2018.

s/Carolyn M. Ciesla  
Case Manager for the  
Honorable R. Steven Whalen